

RESOLUTION

CASE NO. SUP-29-03. MICHELLE POINT

WHEREAS, the Board of Supervisors of James City County has adopted by Ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, Mr. Jay Epstein has applied for a special use permit to allow for a density of up to four units per dwelling in a residential cluster; and

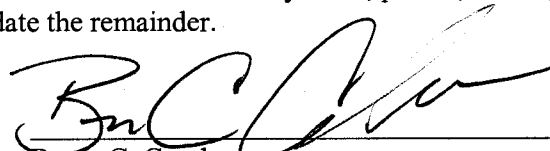
WHEREAS, the proposed residential cluster is shown on the Master Plan prepared by LandMark Design Group, Inc., dated January 5, 2004, and entitled "Michelle Point: A 'Green' Community of Mixed Cost Housing"; and

WHEREAS, the property is located on land to be zoned R-5, General Multifamily Residential District, and can be further identified as Parcel No. (1-3) on James City County Real Estate Tax Map No. (12-1); and


WHEREAS, the Planning Commission, following its Public Hearing on January 12, 2004, voted 6 -1 to approve this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. 29-03 as described herein with the following conditions:

1. Construction on this project shall commence within 36 months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as the first placement of permanent construction of a structure on a site, such as pouring of the slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation. Construction does not include land preparation, such as clearing, grading, or filling.
2. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.


Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:


Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
BRADSHAW	AYE
HARRISON	AYE
BROWN	AYE
MCGLENNON	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of February, 2004.